



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
2890 WOODBRIDGE AVENUE  
EDISON, NEW JERSEY 08837-3679

July 28, 2006

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

#7001 0320 0004 7788 4317

William H. Hyatt, Jr., Esq.  
Kirkpatrick & Lockhart LLP  
The Legal Center  
One Riverfront Plaza, 7<sup>th</sup> Floor  
Newark, New Jersey 07102

Re: Bayonne Barrel and Drum Superfund Site, Newark, New Jersey,  
Administrative Order on Consent (Index No. II-CERCLA-02-2004-2006)

Dear Mr. Hyatt,

Enclosed is an accounting, which has been prepared by the United States Environmental Protection Agency ("EPA") for the recovery of oversight costs incurred under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9601 et seq. ("CERCLA"), for oversight activities at or in connection with the Bayonne Barrel and Drum Site, Newark, Essex County, New Jersey.

This accounting is being forwarded to you as counsel to Respondents, in accordance with Section XV, Paragraph A of the Administrative Order ("AOC") issued by EPA on consent to the eleven (11) Respondents identified in Appendix I of the AOC, pursuant to Section 106 of CERCLA, 42 U.S.C. § 9606.

This accounting includes an itemized cost summary and narrative statement describing the EPA's oversight costs and a Bill for Collection #2720626S009. The Bill for Collection covers Future Response Costs, as defined in the AOC, incurred between February 1, 2005 and May 31, 2006.

259266



In accordance with the terms of the AOC, please remit the amount of \$22,812.20 within thirty (30) days of the receipt of this letter. As provided in Paragraph 43 of the AOC, payment is to be made to EPA's account at Mellon Bank via electronic funds transfer ("EFT"). To effect payment via EFT, please instruct your bank to make payment via EFT to EPA's account, providing the following information:

- \* Amount of Payment: **\$22,812.20**
- \* Title of Mellon Bank account to receive the payment: **EPA**
- \* Account code for Mellon Bank account receiving the payment: **9108544**
- \* Mellon Bank ABA Routing Number: **043000261**
- \* Name(s) of remitter(s)
- \* EPA Docket Number: **CERCLA Docket No. 02-2004-2006**
- \* Site/Spill identifier: **029J**

To ensure that your payment is properly recorded, please send an e-mail or a letter at the time of payment which references the date of the EFT, the payment amount, the name of the Site, the site number, and your name and address, to:

Dana Anderson  
U.S. EPA  
26 W. Martin Luther King Drive  
Attention: FINANCE  
MS: NWD  
Cincinnati, Ohio 45268  
E-mail (both): [anderson.dana@epa.gov](mailto:anderson.dana@epa.gov) and [AcctsReceivable.CINWD@epa.gov](mailto:AcctsReceivable.CINWD@epa.gov)

as well as to:

Sarah Flanagan, Esq.  
Assistant Regional Counsel  
United States Environmental Protection Agency, Region II  
Office of Regional Counsel  
290 Broadway, 17th Floor  
New York, New York 10007-1866  
email: [Flanagan.Sarah@epa.gov](mailto:Flanagan.Sarah@epa.gov)

Joseph V. Cosentino, On-Scene Coordinator  
United States Environmental Protection Agency, Region II  
Bldg. 209, MS-211  
2890 Woodbridge Avenue  
Edison, New Jersey 08837  
email: [Cosentino.Joseph@epa.gov](mailto:Cosentino.Joseph@epa.gov)

The United States reserves its right to recover any cost incurred during the time period covered by this accounting but not included in this billing, and all other response and oversight cost pursuant to the Administrative Order on Consent.

If you have any questions regarding this matter, please contact Joseph Cosentino of my staff at (732) 906-6983. Legal questions should be directed at Sarah Flanagan, of the Office of Regional Counsel at (212) 637-3136. Thank you for your prompt attention to this matter.

Sincerely yours,



Joseph Rotola, Chief  
Removal Action Branch

Enclosures

cc: J. Cosentino, RAB  
N. Magriples, RAB  
L. Gould, RAB  
S. Flanagan, ORC  
L. Peterson, PSB  
C. Kercado, FIN

**Narrative Description of EPA Oversight Costs  
Bayonne Barrel and Drum Superfund Site  
Newark, New Jersey**

**Payroll**

This consist of direct Regional EPA personnel charges for time spent by EPA employees performing On-Scene Coordinator duties and overseeing Respondent's adherence to the requirements of the Administrative Order during the time period February 1, 2005 to May 31, 2006. See attached Payroll section of EPA's Itemized Cost Summary.

**\$17,507.44**

**Indirect Costs**

Indirect costs are those which are necessary to the operation of the Superfund Program and the support of site cleanup efforts, but which cannot be directly identifiable to any one site. Indirect costs are allocated to particular Superfund sites by means of a methodology established by EPA Headquarters. See attached Indirect Costs section of EPA's Itemized Cost Summary for the calculation of indirect costs.

**\$5,304.76**

**Miscellaneous Costs**

**None**

**Total EPA Oversight Cost**

**\$22,812.20**



United States  
ENVIRONMENTAL PROTECTION AGENCY  
Washington, DC 20460

BILL FOR COLLECTION		BILL NO. 2720626S009
BUREAU/OFFICE FOR REMITTANCE PAYABLE USEPA - REGION II      HAZARDOUS SUBSTANCE TRUST FUND		DATE July 28, 2006
ADDRESS FOR MAILING PAYMENT P.O. BOX 360188M, PITTSBURGH, PA 15251		AMOUNT OF PAYMENT

PAYER

William H. Hyatt, Esq.  
Kirkpatrick & Lockhart LLP  
The Legal Center  
One Riverfront Plaza, 7<sup>th</sup> Floor  
Newark, NJ 07102

DETACH AND RETURN  
THIS PART OF BILL  
WITH REMITTANCE

Re: Bayonne Barrel & Drum Superfund Site, Newark, NJ  
Administrative Order on Consent (Index No. II-CERCLA-02-2004-2006)

DATE	DESCRIPTION	QUANTITY	UNIT PRICE		AMOUNT	
			COST	PER		
	Monies due the Hazardous Substance Trust Fund (Treasury) for cleanup of hazardous waste spills on sites.  Site ID# 02-9J  Payment due within 30 days of the receipt of this bill. If payment is not received by this date, a daily interest charge of .011% (4.11% per annum) will be assessed from the first day after the payment is overdue through the date of payment.				\$22,812.	20
IMPORTANT: A receipt will be issued for all cash remittances and for all other remittances when required by applicable procedures. Failure to receive a receipt for cash payment should be promptly reported to the bureau or office shown above.			AMOUNT DUE		\$ 22,812.	20

EPA Form 2505-4 (9-73)

REPLACES FORM D1-1040 WHICH IS OBSOLETE.

68-20X8145.4 06HSCR02D302DD2C029JBB00

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Narrative Cost Summary

BAYONNE BARREL & DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

1. The United States Environmental Protection Agency has incurred at least \$17,507.44 for Regional Payroll Costs.
2. The United States Environmental Protection Agency has incurred at least \$5,304.76 for Indirect Costs.

**Total Site Costs:**

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**\$22,812.20**

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Itemized Cost Summary

BAYONNE BARREL & DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

REGIONAL PAYROLL COSTS .....	\$17,507.44
EPA INDIRECT COSTS .....	\$5,304.76
Total Site Costs:	<u>\$22,812.20</u>



## Certified By Financial Management Office

## Regional Payroll Costs

BAYONNE BARREL &amp; DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
COSENTINO, JOSEPH V	2005	10	14.00	772.09
		11	16.00	882.39
		12	3.00	165.44
		13	21.00	1,158.14
		14	7.00	386.41
		16	12.00	661.99
		17	12.00	661.78
		18	14.00	772.09
		19	9.00	496.34
		25	25.00	1,382.36
		26	24.00	1,323.56
		27	70.00	3,802.25
	2006	02	15.00	833.86
		08	7.00	386.04
		10	13.00	745.00
		11	25.00	1,432.70
		18	6.00	343.96
			293.00	\$16,206.40
ESCOBAR, ELBA N.	2005	13	5.00	168.62
	2006	11	2.50	87.74
			7.50	\$256.36
GORDON, MICHAEL T.	2005	11	36.00	936.66
			36.00	\$936.66
VELEZ, JO-ANN	2005	11	1.00	53.03
	2006	11	1.00	54.99
			2.00	\$108.02
Total Regional Payroll Costs			338.50	\$17,507.44

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## EPA Indirect Costs

BAYONNE BARREL &amp; DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

<u>Fiscal Year</u>	<u>Direct Costs</u>	<u>Indirect Rate( %)</u>	<u>Indirect Costs</u>
2005	13,623.15	30.30%	4,127.81
2006	3,884.29	30.30%	1,176.95
	<u>17,507.44</u>		
Total EPA Indirect Costs			<u>\$5,304.76</u>

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## EPA Indirect Costs

BAYONNE BARREL &amp; DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
COSENTINO, JOSEPH V	2005	10	772.09	30.30%	233.94
		11	882.39	30.30%	267.36
		12	165.44	30.30%	50.13
		13	1,158.14	30.30%	350.92
		14	386.41	30.30%	117.08
		16	661.99	30.30%	200.58
		17	661.78	30.30%	200.52
		18	772.09	30.30%	233.94
		19	496.34	30.30%	150.39
		25	1,382.36	30.30%	418.86
		26	1,323.56	30.30%	401.04
		27	3,802.25	30.30%	1,152.08
			<u>12,464.84</u>		<u>\$3,776.84</u>
ESCOBAR, ELBA N.	2005	13	168.62	30.30%	51.09
			<u>168.62</u>		<u>\$51.09</u>
GORDON, MICHAEL T.	2005	11	936.66	30.30%	283.81
			<u>936.66</u>		<u>\$283.81</u>
VELEZ, JO-ANN	2005	11	53.03	30.30%	16.07
			<u>53.03</u>		<u>\$16.07</u>
Total Fiscal Year 2005 Payroll Direct Costs:			<u>13,623.15</u>		<u>\$4,127.81</u>
Total Fiscal Year 2005:			<u>13,623.15</u>		<u>\$4,127.81</u>

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## EPA Indirect Costs

BAYONNE BARREL &amp; DRUM, NEWARK, NJ SITE ID = 02 9J

Costs are from 02/01/2005 through 05/31/2006 (PP10/FY05-PP18/FY06)

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
COSENTINO, JOSEPH V	2006	02	833.86	30.30%	252.66
		08	386.04	30.30%	116.97
		10	745.00	30.30%	225.74
		11	1,432.70	30.30%	434.11
		18	343.96	30.30%	104.22
			<u>3,741.56</u>		<u>\$1,133.70</u>
ESCOBAR, ELBA N.	2006	11	87.74	30.30%	26.59
			<u>87.74</u>		<u>\$26.59</u>
VELEZ, JO-ANN	2006	11	54.99	30.30%	16.66
			<u>54.99</u>		<u>\$16.66</u>
Total Fiscal Year 2006 Payroll Direct Costs:			<u>3,884.29</u>		<u>\$1,176.95</u>
Total Fiscal Year 2006:			<u>3,884.29</u>		<u>\$1,176.95</u>
Total EPA Indirect Costs					<u>\$5,304.76</u>